IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5395 OF 2006

Ku. Vijaya Namdeo Gadikar ..Petitioner
Vs.
Commissioner
Bruhan Mumbai Mahanagar Palika
Mumbai and ors. ..Respondents

Mr. C.K. Bhangoji h/f Mr.R.K. Mendadkar, Ms.H.K. Mandlik and Mr.P.V. Sonkusre for petitioner.
Ms. M.P. Thakur, AGP for State.

CORAM: B.H. MARLAPALLE & J. H. BHATIA,JJ.

Dated : December 04, 2006.

P.C.:

1. Heard the learned counsel for the petitioner who claims to belong to "Halba" scheduled tribe s per the caste certificate issued by the Sub Divisional Officer, Nagpur on 16/9/1999. Against a post reserved for scheduled tribe, she came to be selected as "Laboratory Technician" by the respondent no.1-corporation. Inspite of the selection, the petitioner has not been able to join the said post as her tribe’s claim has not yet been verified by the concerned committee at Nagpur and, therefore, this petition for directions to respondent no.4.

2. Mrs. Thakur, the learned AGP has received a written communication dated 6/9/2006 from the respondent no.4. It appears that the petitioner's claim is under scrutiny and Police Vigilance Cell has been appointed to conduct the vigilance inquiry. This affidavit sworn by the Senior Research Officer of the respondent no.4-committee is dated 5/9/2006 and it is not known whether the verification is still pending.

3. In any case, we direct the respondent no.4 to complete the verification proceedings, if still pending as of now, in respect of the petitioner's tribe's claim, as per law, within a period of three months from today by following the procedure set out. The petitioner may appear before the respondent no.4 - committee in the week commencing from 11th December, 2006 and submit fresh documents, if any.

4. Petition is disposed off in terms of the above directions.

(J.H. Bhatia, J.) **(B.H. Marlapalle,J.)**